

## CLAIMS:

1. A method of automatic repeat request (ARQ) in data communication between a sender and a receiver engaged in wireless communication with each other, wherein the sender is provided with an incoming data stream of a plurality of protocol data units (PDUs), **characterised in** that a plurality of PDUs are at least partially overlapping while transmitted from the sender, and that at least two different transmission power levels are used for the transmission of at least two different PDUs.
2. ARQ method according to claim 1, **wherein** at the transmission of the plurality of PDUs at least two different code rates are used for at least two different PDUs.
3. ARQ method according to any of claims 1 or 2, **wherein** if some of the from the sender transmitted PDUs were not correctly received by the receiver, then the receiver will inform the sender on which PDUs which was not correctly received, and the sender retransmit the not correctly received PDUs on a power level(s) different from the power level(s) used in the first transmission attempt.
4. ARQ method according to any of claims 1 to 3, **wherein** if some of the from the sender transmitted PDUs were not correctly received by the receiver, then the receiver will inform the sender on which PDUs which was not correctly received, and the sender retransmit the not correctly received PDUs with code rate(s) different from the code rate(s) used in the first transmission attempt.
5. ARQ method according to any of claims 1 to 4, **wherein** at least one of the power level values used for transmitting at least one PDU is below an estimated noise floor
6. ARQ method according to any of claims 1 to 5, **wherein** the method comprises the steps of:
  - a)-*grouping* of PDUs (405), wherein a number of PDUs from the to the sender incoming data stream are group into a set of PDUs, and each PDUs are given a sequence number ( $n$ );
  - b)-*assigning* (410) Transmit Power and Code rate to PDUs. wherein each PDU is assigned a transmit power level value ( $P_k$ ) and a code rate value ( $C_k$ );
  - c)-*storing* PDUs (415), wherein the PDUs are stored in a memory along with their sequence number ( $n$ ), and the assigned power level value, ( $P_k$ ), and code rate value ( $C_k$ );

d)-*transmitting* PDUs (420), wherein the PDUs of the set of PDUs are essentially simultaneously transmitted from the sender with their respective power level value ( $P_k$ ) and code rate value ( $C_k$ ),

e)-*receiving* PDUs (425), wherein the transmitted PDUs are received by the receiver, decoded and checked for errors (CRC), and PDUs not considered decodeable are recognised as not correctly received;

f)-*feedbacking* (430), wherein the receiver transmit to the sender an ARQ feedback in form of a ACK or NACK message, wherein the ACK or NACK message comprises information on the PDUs which were correctly received or the PDUs which were not correctly received, respectively;

g)-*discarding* correctly received PDUs from memory (435), wherein the sender discard from the memory the temporally stored PDUs which were correctly received, and forms a new set of PDUs comprising the PDUs which were not correctly received.

7. ARQ method according to claim 6, wherein the steps b) to g) are repeated (440) and wherein the PDUs which were not correctly received in a first transmission are in a subsequent transmission retransmitted at higher respective power level values ( $P_k$ ) and/or different code rate values ( $C_k$ ) than used in the first transmission.

8. ARQ method according to claim 7, wherein in the step of assigning (410) the PDUs are assigned descending power levels with regards to their sequence number so that the PDU with the lowest sequence number is given the highest power level value; and in the step of the PDUs which were not correctly received are given the lowest sequence numbers, and the set is filled up with new PDUs from the incoming data stream.

9. Computer program products directly loadable into the internal memory of a processing means within a sender and receiver, comprising the software code means adapted for controlling the steps of any of the claims 1 to 8.

10. Computer program products stored on a computer usable medium, comprising readable program adapted for causing a processing means in a processing unit within a sender and receiver, to control an execution of the steps of any of the claims 1 to 8.

11. A system of at least one sender (510) and at least one receiver (540) adapted to be engaged in mutual wireless data communication, the system using automatic repeat request (ARQ) in the data communication, wherein the sender is provided with an incoming data stream of a plurality of protocol data units (PDUs), **characterised in** that the sender is arranged to transmit a plurality of PDUs which are at least partially overlapping, and that at least two different transmission power levels are used for the transmission of at least two different PDUs.

12. System according to claim 11, **wherein** at the transmission of the plurality of PDUs at least two different code rates are used for at least two different PDUs.

13. System according to any of claims 11 or 12, **wherein** if some of the from the sender transmitted PDUs were not correctly received by the receiver, then the receiver will inform the sender on which PDUs which was not correctly received, and the sender retransmit the not correctly received PDUs on a power level(s) different from the power level(s) used in the first transmission attempt.

14. System according to any of claims 11 to 13, **wherein**, if some of the from the sender transmitted PDUs were not correctly received by the receiver, then the receiver will inform the sender on which PDUs which was not correctly received, and the sender retransmit the not correctly received PDUs with code rate(s) different from the code rate(s) used in the first transmission attempt.

15. System according to any of claims 11 to 14, **wherein** at least one of the power level values used for transmitting at least one PDU is below an estimated noise floor

16. System according to any of claims 11 to 15, **wherein** the sender comprises:  
 -grouping means (515) for grouping PDUs so that a number of PDUs from the to the sender incoming data stream are group into a set of PDUs, and each PDUs are given a sequence number ( $n$ ), and assigning Transmit Power and Code rate to PDUs so that each PDU is assigned a transmit power level value ( $P_k$ ) and a code rate value ( $C_k$ ), which grouping means is arranged to receive an ARQ feedback;  
 -storing means (517), arranged to be accessible from said grouping means (515), and adapted to store PDUs along with their sequence number ( $n$ ) and the assigned power level value ( $P_k$ ) and/or code rate value ( $C_k$ );  
 -transmitting means (530) for transmitting PDUs so that the PDUs of the set of PDUs are essentially simultaneously transmitted from the sender with their respective

power level value ( $P_k$ ) and code rate value ( $C_k$ );

-discarding means (518), arranged to be accessible from said grouping means (515), for discarding correctly received PDUs from memory the temporally stored PDUs which were correctly received, and forming a new set of PDUs comprising the PDUs which were not correctly received,

and wherein the receiver comprises:

-means for receiving, decoding and checking (545) PDUs for errors (CRC), and recognising PDUs which are not considered decodeable as not correctly received;

-feedbacking means (550) for feedbacking to the sender an ACK or NACK message, wherein the ACK or NACK message comprises information on the PDUs which were correctly received or the PDUs which were not correctly received, respectively.

17. A radio communication device adapted to be engaged in mutual wireless data communication with at least another radio communication device, the devices using automatic repeat request (ARQ) in the data communication, wherein a transmitter unit (510) of the radio communication device is provided with an incoming data stream of a plurality of protocol data units (PDUs), **characterised in** that the first radio communication device comprises transmitting means (510) adapted to transmits a plurality of PDUs which are at least partially overlapping, and that at least two different transmission power levels are used for the transmission of at least two different PDUs.

18. Radio communication device according to claim 17, **wherein** the radio communication device comprises a transmitter unit (510), which comprises:

-grouping means (515) for grouping PDUs so that a number of PDUs from the to the sender incoming data stream are group into a set of PDUs, and each PDUs are given a sequence number ( $n$ ), and assigning Transmit Power and Code rate to PDUs so that each PDU is assigned a transmit power level value ( $P_k$ ) and a code rate value ( $C_k$ ), which grouping means is arranged to receive an ARQ feedback;

-storing means (517), arranged to be accessible from said grouping means (515), and adapted to store PDUs along with their sequence number ( $n$ ) and the assigned power level value ( $P_k$ ) and/or code rate value ( $C_k$ );

-transmitting means (530) for transmitting PDUs so that the PDUs of the set of PDUs are essentially simultaneously transmitted from the sender with their respective power level value ( $P_k$ ) and code rate value ( $C_k$ );

-discarding means (518), arranged to be accessible from said grouping means (515),

for discarding correctly received PDUs from memory the temporally stored PDUs which were correctly received, and forming a new set of PDUs comprising the PDUs which were not correctly received.

19. Radio communication device according to claim 17 or 18, **wherein** the radio communication device comprises a receiving unit (540), which comprises:  
5 -means for receiving, decoding and checking (545) PDUs for errors (CRC), and recognising PDUs which are not considered decodeable as not correctly received;  
-feedbacking means (550) for feedbacking to the sender an ACK or NACK message, wherein the ACK or NACK message comprises information on the PDUs which  
10 were correctly received or the PDUs which were not correctly received, respectively.
20. Radio communication device according to claim 17 or 19, **wherein** the radio communication device is a mobile terminal for use in a cellular radio communication system.
21. Radio communication device according to claim 17 or 19, **wherein** the radio communication device is a radio base station for use in a cellular radio  
15 communication system.